

Exhibit B



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

REQUEST TO EXAMINE

TO: Planned Parenthood South Texas
Surgical Center
2140 Babcock Road
San Antonio, Texas 78229

Sent on July 24, 2015, at 4:00 p.m.
by US Mail and by CMRRR No.
7014 1200 0000 2191 5991

The Office of the Attorney General is charged under Texas law with the responsibility and authority to enforce the law pertaining to business organizations including corporations and to protect and enforce the public interest in nonprofit organizations, foundations and charitable trusts. In this capacity, this Office reviews the operations of business organizations including for profit and non-profit entities to determine compliance with Texas law, including but not limited to the Texas Business Organizations Code, the Texas Property (Trust) Code, the Texas Deceptive Trade Practices - Consumer Protection Act, and the common law duties of trustees, officers, directors and employees of such organizations. The Office of the Attorney General also serves as the attorney for Texas state agencies including the Texas Department of State Health Services.

This Request to Examine is sent to you because you are or are known to have recently been engaged in the provision of abortion services within the state of Texas as either a non-profit or for-profit provider. The requested information and material is relevant to the subject matter of an investigation of possible violations of TEX. HEALTH & SAFETY CODE Chapters 170, 171 and 245, TEX. ADMIN. CODE Chapter 25, TEX. BUS. & COM. CODE Chapter 17, and potentially others, relating to possible unlawful trafficking in fetal tissue in the State of Texas.

Pursuant to the authority granted to the Attorney General of Texas under the provisions of §12.151 *et seq.* of the TEXAS BUSINESS ORGANIZATIONS CODE, you are hereby directed to produce and permit the representatives and authorized agents of the Attorney General to inspect, examine, and make copies of the records and documentary material as specified in Attachment C. Please review and follow the "Definitions" (Attachment A) and "Instructions" (Attachment B) as included in this Request to Examine (RTE).

You are to produce and to make available all of the documents requested in Attachment "C" to the authorized agent designated below. **This material shall be produced and made available on August 10, 2015**, for inspection and copying during normal business hours at (a) your place of business, or (b) in such a manner as may be agreed upon in writing by the undersigned. In the alternative, this material may be produced in copy or electronic form by making it available for pick-up in person at your business location or by mailing or shipping it for receipt on or before **August 10, 2015**, to the attention of the agent designated below at: Office of the Attorney General, Consumer Protection Division, 1412 Main Street, Suite 800, Dallas, Texas 75202.

TAKE NOTICE THAT pursuant to Sections 12.155 - 12.156 of the Tex. Bus. Org. Code, a foreign filing entity or filing entity that fails or refuses to permit the attorney general to examine or make copies of a record, without regard to whether the record is located in this or another state, forfeits the right of the entity to do business in this state, and the entity's registration or certificate of formation shall be revoked or terminated. Further, a managerial official or other individual having the authority to manage the affairs of a filing entity or foreign filing entity commits an offense if the official or individual fails or refuses to permit the attorney general to make an investigation of the entity or to examine or to make copies of a record of the entity. An offense under this section is a Class B misdemeanor.

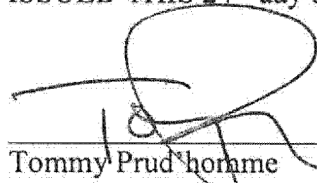
Duty to Supplement

You, your board and officers are further provided notice that this RTE remains effective until the earlier of written notification that the Attorney General's investigation is completed or the lapse of one year from the date of issuance of this request and that you have a continuing duty to supplement your responses and to continue the production of documents and records that are within the scope of these requests.

Production of Documents and Records Self-Authenticating

You, your board and officers are further provided notice that a record or document produced in response to this RTE is deemed authenticated for use in this investigation or any other subsequent proceeding authorized by law.

ISSUED THIS 24th day of July, 2015.



Tommy Prud'homme
Chief, Consumer Protection Division

AUTHORIZED AGENT:

Steven Robinson, AAG
214-290-8823

Read These Definitions. Read these definitions carefully.

1. The scope of Attachment C includes and/or relates to your clinics' practices regarding the disposal of fetal tissue remains and the disclosures made to consumer patients regarding those practices from July 15, 2010, through the present unless otherwise indicated.

2. **"You," "your," "your clinics" and "your business"** means by **PLANNED PARENTHOOD SOUTH TEXAS SURGICAL CENTER**, its past and present officers, employees, agents and representatives, parents and predecessors, divisions, subsidiaries, affiliates, partnerships and joint ventures, and includes all persons and entities acting or purporting to act under the guidance or on behalf of any of the above. The terms "subsidiary," "affiliate," and "joint venture" refer to any firm in which there is total or partial ownership (25 percent or more) or control between the company and any other person or entity.

3. **"Document"** means the original and all non-identical copies (whether different from the original because of notes, underlining, attachments, or otherwise) of all computer files, and all written, printed, graphic or recorded material of every kind, regardless of authorship. It includes communications in words, symbols, pictures, photographs, sounds, films, and tapes, as well as electronically stored information, computer files, together with all codes and/or programming instructions and other materials necessary to understand and use such systems. The term "computer files" includes information stored in or accessible through computers or other information retrieval systems and includes but is not limited to drafts of documents, metadata, embedded, hidden and other bibliographic or historical data describing or relating to documents created, revised, or distributed on computer systems, as well as spreadsheets and their underlying cell formulae and other codes. Thus, you should produce documents that exist in machine-readable form, including documents stored in personal computers, portable computers, workstations, minicomputers, phones, pagers, personal data/digital assistants, archival voice storage systems, group and collaborative tools, electronic messaging devices, mainframes, servers, backup disks and tapes, archive disks and tapes, and other forms of offline storage, whether on or off your premises. This definition covers electronic mail messages ("e-mail"), text messages, voice mail, and all other documents in the possession of you and/or your directors, officers, managers, or employees, whether located at their home or office, whether on work or personal devices. Notice: Unless otherwise specified, the term "document" excludes bills of lading, invoices in non-electronic form, customs declarations, purchase orders, and other similar documents of a purely transactional nature, and also excludes architectural plans and engineering blueprints.

4. **"Entity"** means legal or business entity of any kind and includes, without limitation, corporations, partnerships, joint ventures, associations, governmental bodies, and trusts.

5. **"Including"** means including, but not limited to.

6. **"Person"** includes you and means any entity or natural person, including a pregnant woman.

7. **"Patient"** means a person for whom abortion services are, are intended or are attempted to be provided.

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8. **“Abortion”** means the act to terminate a pregnancy and cause the death of a pregnant woman’s unborn child.

9. **“Fetal tissue”** means human tissue derived from an unborn child but for the purpose of this RTE also includes products of conception.

10. **“Unborn child”** means the offspring of human beings from conception until birth.

11. **“Relate,” “related,” and “relating”** mean being in any way legally, logically, or factually connected with the subject matter of the request at issue.

12. The words **“and”** and **“or”** shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of the request, any document(s) that might be deemed outside its scope by another construction.

13. Unless the context otherwise clearly indicates, words used in the singular include the plural, the plural includes the singular, and the neuter gender includes the masculine and the feminine.

Read These Instructions. Read these instructions carefully.

1. **Time Period.** Unless otherwise noted, the time period for production required is July 15, 2010 through the present, herein called "the relevant time period."

2. **All personally identifying information of patients must be redacted.**

- a. Do not produce the below requested documents without first redacting personally identifying information (including but not limited to the name, signature, social security number, and contact information) of any patient of your clinics;
- b. Otherwise, all materials or documents produced in response to this RTE shall be produced, in complete unabridged, unedited and unredacted form, even if portions may contain information not explicitly requested, or might include interim or un-final editions of a document.

3. **Duty to Preserve Documents.** All documents and/or other data which relate to the subject matter or requests of this RTE must be preserved, including the original and actually utilized documents of which copies or exemplars are requested. *Any ongoing, scheduled or other process of document or data destruction involving such documents or data must cease even if it is your normal or routine course of business for you to do delete or destroy such documents or data and even if you believe such documents or data are protected from discovery by privilege or otherwise.* This notice of duty to preserve constitutes a request to hold potential evidence in anticipation of possible litigation. Failure to preserve such documents or data may result in legal action and may be regarded as spoliation of evidence under applicable law.

4. **Custody & Control.** In responding to this RTE, you are required to produce not only all requested documents in your physical possession, but also all requested documents within your custody and control, including those within the possession of persons reasonably available to you or under your direction or control.

5. **Identification of Documents not in Existence, Custody or Control.** If any requested document never existed and does not exist, produce a separate written response stating that fact. If any responsive document was, but no longer is, in your possession, custody or control, produce a description of each such document. The description shall include the following:

- a. The name of each author, sender, creator, and initiator of such document;
- b. the name of each recipient, addressee, or party for whom such document was intended;
- c. the date the document was created;
- d. the date(s) the document was in use;
- e. a detailed description of the content of the document;
- f. the reason it is no longer in your possession, custody or control; and
- g. the document's present whereabouts. (If the document is no longer in existence, in addition to providing the information indicated above, state on whose instructions the document was destroyed or otherwise disposed of, and the date and manner of the destruction or disposal).

6. **Consult Before Producing Documents.** Before processing or making copies of hard copy documents or electronically stored information in response to this RTE, you must consult with the designated representative(s) of the OAG identified and reach agreement on the format and method of production. Likewise, before producing *original* documents, you are required to consult with one of the designated representatives of the OAG identified above to obtain approval. If you produce original documents, the OAG cannot guarantee their return.

9. **You May Produce Copies.** Subject to the consultation requirement noted above, you may submit photocopies (with color photocopies where necessary to interpret the document) in lieu of original hard-copy documents, provided that such copies are true, correct, and complete copies of the original documents and were generated and maintained in the ordinary course of your business, and provided that where the original contains colored text or images, a color copy must be submitted.

10. **Non-identical Copies to be Produced.** Identical copies of responsive documents need not be produced. However, any copy of a document that differs in any manner, including but not limited to the presence of handwritten notations, different senders or recipients, etc. shall be produced.

11. **Documents to be Bates Numbered.** Mark each page or electronic medium (e.g., disk, tape, or CD) with individual or corporate identification and eight-digit consecutive document control numbers (e.g., DOE-12345678; CORP-12345678). Hardcopy bound pamphlets or books may be marked with a single identification and control number. If your production will be more than one box or piece of electronic media, number each box or electronic media, as well as the total number of boxes/media (eg, box 1 of 10) and mark each with the name(s) of the person(s) whose files are contained therein, the requests(s) to which they are responsive, and the document control numbers contained therein.

12. **Document Organization.** Each document and other tangible thing produced shall be clearly designated as to which Request, and each sub-part of a Request, (if any) that it satisfies. The documents produced shall be identified and segregated to correspond with the number and subsection of the request.

13. **Production of Electronic Documents.** Before you prepare documents or information for production in electronic form in order to comply with this Request to Examine (for example, before you attempt to process electronically stored information or image hard copy documents), you must consult with the designated representative(s) of the OAG identified above and reach agreement regarding the format and method of production. Unless otherwise agreed to in writing by the designated OAG representative, electronically stored information shall be produced in electronic form.

14. **Questions.** Questions concerning this Request to Examine should be directed to Assistant Attorney General Steven Robinson at 214-969-7639 ext. 8823.

ATTACHMENT C

1. Produce and provide an exemplar of all documents which you utilize or have utilized within the relevant time period, to inform patients regarding fetal tissue donation or disposal of fetal tissue or containing representations made to patients regarding fetal tissue donation or disposal of fetal tissue. Include within your response an identified and representative copy for each separate clinic site for which you are responding. Also include within your response a representative exemplar of each version of any such document used during the relevant time period.
2. Produce and provide an exemplar of each consent form signed by a patient, utilized by you during the relevant time period including, but not limited to, all forms relating to patient consent to fetal tissue donation or disposal of fetal tissue.
3. Produce and provide an exemplar of each consent form signed by a patient, utilized by you during the relevant time period relating to patient consent to any changes in the type of abortion procedure used for the purpose of procurement or preservation of fetal tissue for any and all purposes.
4. Produce and provide a copy of all documents reflecting your policies, protocol, and procedures during the relevant time period relating to changing the type of abortion procedure used for the purpose of procurement or preservation of fetal tissue for donation.
5. Produce and provide an exemplar of each certification form signed by a physician, utilized by you during the relevant time period relating to patient consent to fetal tissue donation or disposal of fetal tissue for any and all purposes.
6. Produce an exemplar of the form used by you during the relevant time period to record the post-abortion examination of fetal tissue and products of conception.
7. Produce and provide a copy of all documents reflecting your policies, protocol and procedures during the relevant time period relating to fetal tissue donation or disposal of fetal tissue.
8. Produce and provide a copy of all documents reflecting your procedures and policies during the relevant time period governing under what circumstances and for which purposes a specimen of fetal tissue is to be preserved.
9. Produce and provide a copy of all documents reflecting your policies, protocol and procedures during the relevant time period relating to fees charged to or accepted from any person receiving fetal tissue which you provide. The reference to fees charged or accepted includes, but is not limited to, guidelines or schedules for any amounts charged and all sums attributable in whole or part to reimbursement for costs and expenses related to your procurement, preservation, storage, handling or transportation of fetal tissue for any and all purposes.
10. Produce and provide a copy of all your employee training materials during the relevant time period relating to fetal tissue donation, preservation or disposal of fetal tissue.
11. Produce and provide a copy of all contracts and agreements during the relevant time period with persons which acquire, accept or receive fetal tissue from you, for any and all purposes.
12. Produce and provide a copy of all contracts and agreements during the relevant time period

13. Produce a copy of any solicitations to you during the relevant time period from persons or entities seeking to acquire or transfer fetal tissue from you or affiliated clinics.

14. Produce a copy of your organization chart indicating position and names of all current management and administrative staff, including physicians employed or retained.

15. Produce a copy of your current corporate formation documents, corporate charter and assumed name filings, if any.

16. Produce a copy of any affirmed and signed Certification of Disposal of Fetal Tissue which you have provided to the Texas Department of State Health Services since July 17, 2015.